

JOHN DOE,

Plaintiff,

V.

02: 06cv1426

UNITED STATES OF AMERICA, U.S.
DEPARTMENT OF HOMELAND
SECURITY, MICHAEL CHERTOFF,
Secretary of U.S. Department of Homeland
Security, and U.S. CITIZENSHIP AND
IMMIGRATION SERVICE,

Defendants.

ORDER OF COURT

Presently pending before the Court is the MOTION TO DISMISS AMENDED COMPLAINT FOR DECLARATORY JUDGMENT AND EQUITABLE RELIEF, with brief in support, filed by Defendants.

On June 19, 2007, Plaintiff filed a Notice of Appeal with the United States Court of Appeals for the Third Circuit appealing the Memorandum Opinion and Order of June 11, 2007, in which the Court denied Plaintiff's request for leave to proceed in pseudonym. By Order of Court dated June 20, 2007, the Court stayed all proceedings in this case pending the disposition of Plaintiff's appeal.

Accordingly, the Motion to Dismiss is **DENIED** without prejudice to Defendant refiling same upon the disposition of Plaintiff's appeal.

BY THE COURT:

s/Terrence F. McVerry
United States District Court Judge

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